

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ISSAK ALMALEH; ANTOANETA
IOTOVA,

Plaintiffs,

-against-

US ATTORNEY OFFICE SOUTHERN
DISTRICT OF NEW YORK; US
ATTORNEY PREET BHARARA; US
ATTORNEY DAVID DENTON; US
ATTORNEY ROBERT SOBELMAN; US
ATTORNEY DAMIAN WILLIAMS; US
ATTORNEY REBECCA DELL; US
ATTORNEY MATHEW KING; US
ATTORNEY ELIZABETH HAULT,

Defendants.

22-CV-9171 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiffs Issak Almaleh and Antoaneta Iotova, who are proceeding *pro se*, bring this action against the Office of the United States Attorney for the Southern District of New York, as well as current and former United States Attorneys and assistant United States Attorneys who either previously represented or are now representing the Government in Plaintiffs' criminal matter pending before District Judge Edgardo Ramos of this court, *United States v. Almaleh*, No. 17-CR-00025 (ER). Plaintiffs assert that Defendants have engaged in corruption and fraud, for which they seek "acquittal," dismissal of the indictment, Defendants' disbarment, and \$10 million in damages. (ECF 2 ¶¶ 3, 4.) By order dated October 31, 2022, the Court granted Plaintiffs' requests to proceed *in forma pauperis* (IFP), that is, without prepayment of fees. For the reasons set forth below, the Court dismisses this action.

On February 28, 2018, former District Judge Katherine B. Forrest of this court enjoined Plaintiffs Almaleh and Iotova "from filing any lawsuits against any counsel, court officer, or

judicial officer connected to the criminal proceedings during its pendency. Any further such suits shall be summarily dismissed.” *Almaleh*, ECF 1:17-CR-0025, 108 (S.D.N.Y. Feb. 28, 2018).

Because Plaintiffs’ criminal proceedings remain pending, this action falls within the scope of Judge Forrest’s February 28, 2018, order and must be dismissed.¹

CONCLUSION

The Court dismisses without prejudice Plaintiffs’ complaint, pursuant to the February 28, 2018, order in Plaintiffs’ criminal case. *See Almaleh*, ECF 1:17-CR-0025, 108 (S.D.N.Y. Feb. 28, 2018). All other pending matters are terminated. The Clerk of Court is directed to close this action.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to issue judgment in this case.

SO ORDERED.

Dated: November 1, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge

¹ Plaintiffs are scheduled to be sentenced on January 18, 2023. *See Almaleh*, ECF 1:17-CR-0025, (S.D.N.Y. Oct. 26, 2022) (text order).